



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,358	10/30/2001	Eiji Kawai	09812.0484-00000.	2712

22852 7590 09/21/2005

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

PHAN, THANH S

ART UNIT	PAPER NUMBER
2841	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,358

Applicant(s)

KAWAI, EIJI

Examiner

Thanh S. Phan

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 26-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 26-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/11/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-12, 14, 26-28, 30-36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malcolm et al. [US 5,790,939] in view of Hepp et al. [US 6,449,219].

Regarding claims 1, 4, 8, 9-12, Malcolm et al. disclose a system [figure 1] for distributing watch information, and processing information comprising: a plurality of hand held terminal devices [22] that acquire and process said watch information [time synchronization]; an information distribution apparatus [20] for distributing said watch information to said plurality of hand held terminal devices; and display means [64, figure 2]] for displaying said watch information on said plurality of hand held terminal devices; wherein said watch information is displayed on said display means of said plurality of hand held terminal devices that depicts at least a current time [not explicitly mentioned, however the timer 48 is capable of this function].

Malcolm et al. disclose the claimed invention except for the time is displayed in form of a video image.

Hepp et al. discloses a system and method for customizing time display including language, multi media/video [column 1, lines 55-67; fig. 1].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the display design system and/or method of Hepp et al. with Malcolm et al. for the purpose of presenting a unique and personalized time display sequence on a display device.

Regarding claim 2, Malcolm et al. disclose wherein the handheld devices comprising a smart card [64, figure 2] capable of storing and/or carrying information and insertable into the handheld devices.

Regarding claims 3, 14, Malcom et al. disclose wherein the watch information are distributed as data to the plurality of hand held device by using broadcast infrastructure and/or communication infrastructure [satellite].

Regarding claim 5, Malcolm et al. disclose an operating section [22 figure 2] operated to input operational information concerning the watch information; a receiving section [44] that receives the watch information; a storage device [66] that stores the watch information received by the receiving section; and a control unit that reads out the watch information from the storage device according to the operational information.

Regarding claim 6, Malcolm et al. disclose that the handheld terminals are hand held phone set [22] comprising a turner [44] that received watch information form a broadcast station [satellite 26]; a storage device [66] that stores the watch information received by the turner; a data processing section [22] that reads out and processes the watch information stores in the storage device; and a hand held telephone function [59, 60] controlled by the data processing section.

Regarding claims 26-28, 30-36 and 38, the method steps are necessitated by the disclosed apparatus structure.

Claims 7 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malcolm et al. and Biggs as applied to claim 1 above, and further in view of Kawamoto et al. [US 6,889,246].

Regarding claim 7, Malcolm et al., as modified, disclose the claimed invention wherein the device is capable of accepting a recording medium [smart card] except for explicitly describe that the recording medium provides the watch information to a user, and wherein the user mounts the information recording medium on a hand held terminal device to use the watch information via the recording medium.

Kawamoto et al. disclose a data distribution system wherein a memory card [112] for recording data is mounted to a cellular phone [31].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teachings of Hori et al. with Malcolm et al., as modified, to facilitate recording/transferring/reproducing watch information to a plurality of devices.

Regarding claim 29, the method steps are necessitated by the disclosed apparatus structure.

Claims 13 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malcolm et al. and Biggs as applied to claim 1 above, and further in view of Lim [US 6,628,974].

Regarding claim 13, Malcolm et al., as modified, disclose the claimed invention except for the hand held devices are foldable type.

Lim discloses a hand held device is a foldable type [fig. 5].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the foldable design of Lim with the devices of Malcolm et al., as modified, for the purpose of providing components protection.

Regarding claim 37, the method steps are necessitated by the disclosed apparatus structure.

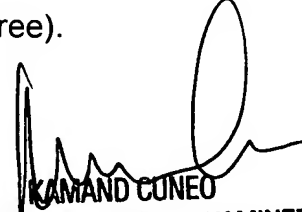
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tsp


KAMAND CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800